

## COUNCIL and COMMITTEE SESSION SUMMARY

**Wednesday, October 25, 2006 – Tuesday, October 31, 2006**

*This summary is not intended to be the official record of the Council --  
Official minutes are available for that purpose in the Office of Legislative Information Services*

<b>T&amp;E/ED</b>	<b>9:30 AM - 7CHR</b>	
<b>Oct 26</b>	(1)•MCPS stormwater management (Levchenko)	Held discussion
<b>T&amp;E</b>	<b>10:15 AM - 7CHR</b>	
<b>Oct 26</b>	(1)• <b>Expedited Bill 39-06</b> , Streets and Roads - Fees - Preliminary Subdivision Plans (Healy)	Recommended approval
	(2)•SRA 06-02, Fees - Preliminary Subdivision Plans (Healy)	Recommended approval with amendments
	(3)•Briefing - Forest Glen Metro Pedestrian Tunnel (Orlin)	Received briefing
	(4)•Discussion - Motorcycle parking policy (Orlin)	Recommended bill and resolution for introduction
<b>PHED</b>	<b>2:30 PM - 7CHR</b>	
<b>Oct 26</b>	(1)•ZTA 06-24, Home Occupations - Furniture displays (Zyontz)	Recommended approval with amendments
	(2)• <b>Expedited Bill 44-06</b> , Parks Department - Golf Courses - Lease with Revenue Authority (Faden/Michaelson)	Recommended approval after lease is amended
<b>PS/MFP</b>	<b>9:30 AM - 7CHR</b>	
<b>Oct 30</b>	(1)•Public Safety Communications Equipment (Davidson/McMillan)	Held discussion
	(2)•Consolidated Fire Tax Fund (Davidson)	Held discussion
<b>MFP</b>	<b>10:30 AM - 7CHR</b>	
<b>Oct 30</b>	(1)•Discussion - Measures of program effectiveness and performance in agencies' FY08 operating budget documents (Farber)	Held discussion
	(2)•Update - Transfer/recordation tax and impact tax revenues (Sherer)	Received update
	(3)•Updates - MFD and Small Business programs (Healy)	Received updates
	(4)•Quarterly Review - Comcast, Starpower, and Verizon Customer Service (Healy)	Held quarterly review
	(5)•Overview - Franchise Agreement for Use of Public Right-of-Way: Verizon Communications (Healy)	Received overview
<b>PHED</b>	<b>2:00 PM - 7CHR</b>	
<b>Oct 30</b>	(1)•Report on condition of recreation centers (Sherer)	Received report
	(2)•Update - Long Branch pedestrian bridge/trail (McMillan)	Received update

RES/ORD	SUBJECT	ACTION
	<b>Tuesday, October 31, 2006</b>	
	9:30 <b>INVOCATION</b> - Reverend Corey Sharpe, Faith United Methodist Church, Rockville	Held a moment of silence
	9:35 <b>GENERAL BUSINESS</b>	
	<b>A. Announcements:</b>	
	• Agenda and Calendar Changes	Noted addendum to the agenda
	• A public hearing is scheduled for December 5, 2006 at 1:30 pm on the Spending Affordability Guidelines for FY08 Operating Budget	Announcement made
	(1) <b>B. Acknowledgement</b> - Receipt of Petitions	Acknowledged petition
	<b>C. Action</b> - Approval of Minutes: October 17, 2006	Approved (6y; NF, TP, MK ta)*
	(2) 9:40 <b>CONSENT CALENDAR</b>	Approved ( 9y)*
	<b>A. Introduction</b> - Resolution regarding Montgomery County Public Schools' State funding request for school construction (Levchenko) <i>ED Committee is tentatively scheduled for 11/27/06.</i>	Introduced
	<b>B. Introduction</b> - Resolution to establish FY08 Spending Control Limits for the Washington Suburban Sanitary Commission (Levchenko) <i>Public Hearing/Action is scheduled for 11/28/06 at 1:30 pm.</i>	Introduced
	<b>C. Introduction</b> - Resolution to consolidate the issuance of certain authorized bonds (Sherer) <i>Action is tentatively scheduled for 11/28/06.</i>	Introduced
	<b>D. Introduction</b> - Resolution to consolidate new authority to issue commercial paper bond anticipation notes with all previously authorized notes (Sherer) <i>Action is tentatively scheduled for 11/28/06.</i>	Introduced
*y=yes; ta= temporarily absent		

RES/ORD	SUBJECT	ACTION
	E. <b>Introduction</b> - Supplemental appropriations to the County Government's FY07 Capital Budget and amendments to the FY07-12 Capital Improvements Program, Department of Public Works and Transportation: (Orlin)	
	• \$4,597,000 for Glenmont Metro Parking Expansion (Source: Revenue Bonds: Liquor Fund)	Introduced
	• \$8,525,000 for State Transportation Participation for extension of Watkins Mill Road (Source: Revenue Bonds: Liquor Fund; Impact Tax; City of Gaithersburg)	Introduced
	<i>T&amp;E Committee worksession tentatively scheduled for 11/27/06. Public Hearing/Action is scheduled for 11/28/06 at 1:30 pm.</i>	
<b>R-15-1648</b>	F. <b>Action</b> - Resolution to approve FY08 Council Grants process (Planell)	Adopted, as amended
	<i>MFP/HHS Committee recommends approval.</i>	
<b>R-15-1649</b>	G. <b>Action</b> - Resolution to approve the abandonment of portion of unimproved Burning Tree Road in the Marywood Subdivision in Bethesda (Orlin)	Adopted
<b>R-15-1650</b>	H. <b>Action</b> - Mutual Aid Agreement with the Maryland-National Capital Park Police (Boucher)	Adopted
	<i>PS Committee recommends approval with amendments.</i>	
	I. <b>Action</b> - Special appropriations to the MNCPPC's FY07 Capital Budget: (Michaelson)	
<b>R-15-1651</b>	• \$2,545,000 for Acquisition: Local Parks (Source: Program Open Space)	Adopted
<b>R-15-1652</b>	• \$2,000,000 for Acquisition: Non-Local Parks (Source: Program Open Space)	Adopted <i>CLERK'S NOTE: This resolution will be reconsidered/amended/readopted on 11/28/06 to correct the agency</i>
	<i>PHED Committee recommends approval.</i>	
	J. <b>Action</b> - Special appropriations to the MNCPPC's FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program: (Michaelson)	
<b>R-15-1653</b>	• \$1,087,000 for South Germantown SoccerPlex (Source: G.O. Bonds, Contributions and Program Open Space)	Adopted
<b>R-15-1654</b>	• \$3,800,000 for Lake Needwood Dam Remediation (Source: G.O. Bonds and Current Revenue)	Adopted
<b>R-15-1655</b>	• \$563,000 for Ballfield Initiatives (Source: Program Open Space)	Adopted
<b>R-15-1656</b>	• \$188,000 for Restoration of Historic Structures (Source: Program Open Space)	Adopted

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<b>R-15-1657</b>	<ul style="list-style-type: none"> <li>• \$2,398,000 for Black Hill Trail Renovation and Extension (Source: Program Open Space and G.O. Bonds)</li> </ul> <p><i>PHED Committee recommends approval as amended.</i></p>	<p>Adopted as amended by Committee: \$785,000</p> <p><i>CLERK'S NOTE: This resolution will be reconsidered/amended/readopted on 11/28/06 to correct the amount of the project</i></p>
	<p><b>K. Action</b> - of the following amendments to the MNCPPC's FY07-12 Capital Improvements Program: (Michaelson)</p>	
<b>R-15-1658</b>	<ul style="list-style-type: none"> <li>• Rock Creek Trail Pedestrian Bridge</li> </ul>	Adopted
<b>R-15-1659</b>	<ul style="list-style-type: none"> <li>• Wheaton Tennis Bubble Renovation</li> </ul>	Adopted
	<i>PHED Committee recommends approval.</i>	
<b>R-15-1660</b>	<p><b>L. Action</b> - Special appropriation to the County Government's FY07 Operating Budget, Arts and Humanities Council Non-Departmental Account - \$50,000 for Levine School of Music (Source: General Fund Reserve) (Davidson)</p>	Adopted
	<p><b>M. Action</b> - Special appropriation to the County Government's FY07 Operating Budget, Montgomery County Fire and Rescue Service - \$2,582,630 for Fire Code Enforcement - Fire Safety Code: Fee Schedule for Inspections, Permits, Licenses, Certificates and Exceptions (Source: Consolidated Fire Tax District) (Davidson)</p>	Deferred to 11/28/06
	<i>PS Committee recommends approval with amendments.</i>	
	<p><b>N. Action</b> - Fire Safety Code Regulations: Executive Regulation 5-06AM, Fee Schedule for Inspections, Permits, Licenses, Certificates and Exceptions; Executive Regulation 6-06AM, Fire Protection Systems; and Executive Regulation 7-06AM, Building Construction (Davidson)</p>	Deferred to 11/28/06
	<i>PS Committee recommends approval as amended.</i>	
	<p><b>O. Action</b> - Resolutions to support applications for State Community Legacy Funding: (McMillan)</p>	
<b>R-15-1661</b>	<ul style="list-style-type: none"> <li>• Wheaton-Long Branch-Silver Spring area</li> </ul>	Adopted
<b>R-15-1662</b>	<ul style="list-style-type: none"> <li>• Burtonsville East County area</li> </ul>	Adopted

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	P. <b>Action</b> - Resolutions to support applications for the State's Community Investment Tax Credit Program: (McMillan)	
<b>R-15-1663</b>	• Montgomery Housing Partnership, Inc.	Adopted
<b>R-15-1664</b>	• Pyramid Atlantic	Adopted
<b>R-15-1665</b>	• Jewish Community Relations Council of Greater Washington	Adopted
<b>R-15-1666</b>	• Latino Economic Development Corporation	Adopted
<b>R-15-1667</b>	• Rebuilding Together*Montgomery County	Adopted
	Q. <b>Action</b> - Report and recommendations of the ED/PS Committee regarding OLO Report 2007-1, Review of MCPS' "Serious Incident" Reporting (Orlansky/Rubin)	Approved
<b>R-15-1668</b>	R. <b>Action</b> - Confirmation of County Executive appointment to the Adult Public Guardianship Review Board: Robert Jerrett, III (Ferber)	Adopted
<b>R-15-1669</b>	S. <b>Action</b> - Confirmation of County Executive appointments to the Bethesda Urban Partnership, Inc. Board of Directors: Jack D. Hayes, Michele Horwitz Cornwell, Thomas D. Murphy, Dee Carl Metz (Ferber)	Adopted
<b>R-15-1670</b>	T. <b>Action</b> - Confirmation of County Executive appointments to the Commission on Children and Youth: Meredith J. Myers, Barbara A. Ott, Vicki Stearn, Emily McDonell (Ferber)	Adopted
<b>R-15-1671</b>	U. <b>Action</b> - Confirmation of County Executive appointments to the Domestic Violence Coordinating Council: Phil Andrews, Deborah L. Horan (Ferber)	Adopted
<b>R-15-1672</b>	V. <b>Action</b> - Confirmation of County Executive appointments to the Silver Spring Transportation Management District Advisory Committee: Sgt. Thomas Harmon, Sandra L. Brecher, Muriel E. Bowser (Ferber)	Adopted
<b>R-15-1673</b>	W. <b>Action</b> - Confirmation of County Executive appointments to the Upcounty Recreation Advisory Board: Stanley A. Fisher, Deanna Tomasetti, Tim Truman (Ferber)	Adopted
<b>R-15-1674</b>	X. <b>Action</b> - Confirmation of County Executive appointment to the Water Quality Advisory Group: David C. Merkin (Ferber)	Adopted

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<b>R-15-1675</b>	Y. <b>Action</b> - Confirmation of County Executive appointments to the Workforce Investment Board: Donald Carroll Moragne, Gerald Shapiro, Toby C. Studley, Warren W. Williams, David N. Rodich, Shelley A. Johnson, Stephen D. Cain, Stewart L. Edelstein, Kate Garvey, Harriet Shapiro (Ferber)	Adopted
	Z. <b>Introduction</b> - Resolution to authorize Advance Taking - Travilah Road Phase I - MD Route 28 to Welland Terrace (Orlin)	Introduced
	<i>T&amp;E Committee worksession tentatively scheduled for 11/27/06.</i>	
	AA. <b>Introduction</b> - Resolution to authorize Advance Taking - Mouth of Monocacy Road Bridge (Orlin)	Introduced
	<i>T&amp;E Committee worksession tentatively scheduled for 11/27/06.</i>	
<b>R-15-1676</b>	BB. <b>Action</b> - Resolution to approve the abandonment of a portion of unimproved Fraser Drive Montgomery Hills Forest, Silver Spring (Orlin)	Adopted
<b>R-15-1677</b>	CC. <b>Action</b> - Resolution to approve the abandonment of a portion of unimproved Keokuk Street Brookdale Subdivision, Bethesda (Orlin)	Adopted
<b>R-15-1678</b>	DD. <b>Action</b> - Resolution to approve the abandonment of a portion of unimproved of Cameron Street Air Rights Silver Spring (Orlin)	Adopted
	EE. <b>Introduction</b> - Resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant: Bethesda Theatre Nederlander Project (Ferber)	Introduced
	<i>Action is tentatively scheduled for 11/28/06.</i>	
<b>Add:</b>	FF. <b>Introduction</b> - Supplemental appropriation to the Montgomery County Public Schools' FY07 Operating Budget - \$220,000 for Real Estate Management Fund (Source: REM Fund/Rental Revenue) (Planell)	Introduced
	<i>Public Hearing/Action is scheduled for 11/28/06 at 1:30 pm.</i>	
<b>Add:</b>	GG. <b>Introduction</b> - Resolution to amend Transportation Fares, Fees, and Charges to establish free parking for motorcycles in spaces and areas where only motorcycle parking is permitted, sponsored by T&E Committee (Orlin)	Introduced
	<i>Public Hearing and action is scheduled for 11/28/06 at 1:30 pm.</i>	

RES/ORD	SUBJECT	ACTION
	<b>Add:</b> HH. <b>Introduction</b> - Special appropriation to the County Government's FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program, Department of Public Works and Transportation - \$8,525,000 for Watkins Mill Road Extended (Source: G.O. Bonds, Impact Tax and Intergovernmental) (Orlin)	Introduced
	<i>T&amp;E Committee worksession tentatively scheduled for 11/27/06. Public Hearing/Action is scheduled for 11/28/06 at 1:30 pm.</i>	
	9:50 <b>LEGISLATIVE SESSION Day # 35</b>	
	A. Approval of Legislative Journal: October 17, 2006 (Lauer)	Approved (9y)*
	B. Introduction of Bills	
	(3) • <b>Expedited Bill 46-06</b> , Bond Authorization, sponsored by Council President at request of the County Executive (Sherer)	Introduced
	<i>Public Hearing and action is scheduled for 11/28/06 at 1:30 pm.</i>	
	<b>Add:</b> (3.1) • <b>Expedited Bill 47-06</b> , Motor Vehicles - Motorcycle Parking, sponsored by T&E Committee (Orlin)	Introduced
	<i>Public Hearing and action is scheduled for 11/28/06 at 1:30 pm.</i>	
	C. Call of Bills for Final Reading	
	(4) • <b>Expedited Bill 44-06</b> , Parks Department - Golf Courses - Lease with Revenue Authority (Faden)	Enacted (9y)*
	<i>PHED Committee recommendation will be available 10/26/06.</i>	
	(5) • <b>Bill 35-06</b> , Property Tax Credit - Senior Citizens (Faden)	Enacted (8y; MS ta)*
	<i>MFP Committee recommends approval with amendments.</i>	
	(6) • <b>Expedited Bill 39-06</b> , Streets and Roads - Fees - Preliminary Subdivision Plans (Healy)	Enacted (9y)*
	<i>T&amp;E Committee recommends approval.</i>	
	10:30 <b>DISTRICT COUNCIL SESSION</b>	
<b>O-15-89</b>	(7) A. <b>Action</b> - Subdivision Regulation Amendment 06-02, Fees - Preliminary Subdivision Plans (Healy)	Enacted (9y)*
	<i>T&amp;E Committee recommends approval with amendments.</i>	
<b>O-15-90</b>	(8) B. <b>Action</b> - Zoning Text Amendment 06-24, Home Occupations - Furniture displays (Zyontz)	Enacted (8y; MS ta)*
	<i>PHED Committee recommendation will be available 10/26/06.</i>	
	<i>*y=yes; ta= temporarily absent</i>	

RES/ORD	SUBJECT	ACTION
<b>R-15-1679</b>	(9) C. <b>Action</b> - Development Plan Amendment <b>DPA 06-4</b> (Zyontz)	Adopted (8y; MS ta)*
	<b>Applicant:</b> The Donohoe Companies (White Flint Place) (Emily J. Vaias, Attorney)	
	<b>Property:</b> 498,201 square feet located at Northeast Corner of Rockville Pike and Old Georgetown Road	
	<b>Action:</b> Amendment to DPA 04-1 which amended the original Zoning Application G-726	
	<b>Recommendations:</b> Planning Staff: Approve	
	Planning Board: Approve	
	Hearing Examiner: No Report	
<b>R-15-1680</b>	(10) D. <b>Action</b> - Consideration of Hearing Examiner's Report and Recommendation: (Zyontz)	Adopted (9y*)
	<b>Application No:</b> G-832	
	<b>Applicant:</b> Ralph J. Duffie, Inc. (Stephen J. Orens, Attorney)	
	<b>Property:</b> 37.176 acres located at 400 feet northeast of Gateway Center Drive on the north side of Shawnee Lane, Clarksburg	
	<b>Action:</b> Rezone from R-200 Zone to PD-11	
	<b>Recommendations:</b> Planning Staff: Approve	
	Planning Board: Approve	
	Hearing Examiner: Approve	
	(11) E. <b>Oral Argument</b> and Consideration of Hearing Examiner's Report and Recommendation: (Zyontz)	Held oral argument
	<b>Application No:</b> G-836	
	<b>Applicant:</b> J. Kirby Development, LLC and Vedanta Center of Greater Washington, D.C., Inc. (Barbara A. Sears and Scott C. Wallace, Attorneys)	
	<b>Property:</b> 16 acres located at 2929, 3001 and 3031 Bel Pre Road, Silver Spring	
	<b>Action:</b> Rezone from RE-2 Zone to PD-2 Zone	
	<b>Recommendations:</b> Planning Staff: Approve	
	Planning Board: Approve	
	Hearing Examiner: Approve	
	12:15 <b>RECESS</b>	
	(12) 1:30 <b>PUBLIC HEARING</b> - Resolution to approve the Franchise Agreement for Use of Public Right-of-Way: Verizon Communications (Healy)	PH held; record open until cob 11/3/06
	<i>MFP Committee worksession tentatively scheduled for 11/13/06.</i>	
	<i>*y=yes; ta= temporarily absent</i>	

RES/ORD	SUBJECT	ACTION
	(13) 1:30 <b>PUBLIC HEARING</b> - Resolution to indicate Council's intention regarding the actions necessary to implement amendments to the Collective Bargaining Agreement with the Municipal & County Government Employees' Organization (MCGEO), Local 1994 (Wage Compression Reopener) (Faden)	PH held; record open until cob 11/3/06
	<i>MFP Committee worksession tentatively scheduled for 11/13/06.</i>	
<b>R-15-1681</b>	(14) 1:30 <b>PUBLIC HEARING/ACTION</b> - Supplemental appropriation to the County Government's FY07 Operating Budget, Circuit Court - \$299,930 for Electronic Document Imaging Grant (Source: State Grant Funds Administrative Office of the Courts) (McGuire)	Adopted; (8y; MS ta)*
	(15) 1:30 <b>PUBLIC HEARING/ACTION</b> - Supplemental appropriations to the County Government's FY07 Operating Budget, Homeland Security Department (Source: UASI - Federal grant) (Davidson)	
<b>R-15-1682</b>	• \$233,340 to implement "Hospital Surge"	Adopted; (8y; MS ta)*
<b>R-15-1683</b>	• \$333,340 to implement the National Capital Region Special Needs Project Surge Expansion Program	Adopted; (8y; MS ta)*
<b>R-15-1684</b>	(16) 1:30 <b>PUBLIC HEARING/ACTION</b> - Special appropriation to the County Government's Arts and Humanities Council Non-Departmental Account, Heritage Montgomery - \$25,000 for stabilization of Loving Charity Hall in the Warren Historic District Restoration (Source: General Fund Reserves) (Davidson)	Adopted; (8y; MS ta)*
	2:30 <b>DISTRICT COUNCIL SESSION</b> ( <i>Continuation of morning session</i> )	
<b>R-15-1685</b>	(11) E. <b>Action</b> - Consideration of Hearing Examiner's Report and Recommendation: <b>Application No: G-836</b>	Adopted as amended; (7y; MK, MS ta)*
	2:45 <b>ADJOURN</b>	
<i>*y=yes; ta= temporarily absent</i>		